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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,167	03/29/2004	Matthew Compton	282566US8X	3011

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EXAMINER	
VU, THONG H	

ART UNIT	PAPER NUMBER
2619	

NOTIFICATION DATE	DELIVERY MODE
12/07/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/812,167	COMPTON, MATTHEW	
	Examiner	Art Unit	
	Thong H. Vu	2619	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 November 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

1. Claims 1-21 are pending.

Response to Arguments

2. Applicant's arguments, see pages 2-5, filed 11/21/07, with respect to the rejection(s) of claim(s) 1-21 under Hundemer-Takase have been fully considered and are persuasive (e.g.: to remove said network-based packet header data from said packet; to remove said packet identifier). Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Hundemer-Miyamoto.

Claim Rejections - 35 USC § 103

Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hundemer [6,987,734 B2] in view of Miyamoto [6,414,954 B1].

3. As per claim 1, Hundermer discloses A network interface connectable to a packet-based data network on which a plurality of different types of payload data are distinguished by network-based packet header data [Hundemer, Internet or network-based packet, Fig 1]; said network interface comprising:

a plurality of data handling nodes [Hundemer, server, mainframe, col 4 lines 28-42];and

a routing arrangement responsive to a packet identifier for routing data packets between said data handling nodes [Hundemer, routing table, col 6 lines 58; packet ID, col 8 line 10]; in which:

one of said data handling nodes is a network processor for receiving data packets from and transmitting data packets to said packet-based network [Hundemer, router 42, Fig 2]; said network processor being operable:

a) in the case of a data packet received from said data network, to detect a type of payload data from said network-based packet header data; and to associate with said packet an identifier which specifies a route across said routing arrangement to a target data handling node and a data handling operation to be carried out by said target data handling node (e.g.: user, client) [Hundemer, determines the type of data and how it is to be processed, col 9 lines 1-19; Internet content has been selected and requested for delivery by clients, col 7 lines 26-40]; and

b) in the case of a data packet received from another data handling node and having an associated packet identifier, to detect a type of payload data from said packet identifier; to apply network-based packet header data in dependence on said packet identifier [Hundemer, the header and a playload of data, col 9 lines 1-19]; and to launch said data packet onto said network.

However Hundemer does not explicitly detail

to remove said network-based packet header data from said packet;

to remove said packet identifier;

Miyamoto taught a processing system with TS header processor 17 [Miyamoto, Fig 3] includes a TS header stripper 21 removes TS header [Miyamoto, col 4 lines 18-61]; and removing said PID from payload data [Miyamoto, col 6 lines 12-16]

Therefore it would have been obvious to an ordinary skill in the art at the time the invention was made to incorporate the technique of remove the header or the PID of the payload data as taught by Miyamoto into the Hundemer's apparatus in order to utilize the routing process.

Doing so would reduce the work load or heavy burden to the host or network processor.

4. As per claim 2, Hundemer-Miyamoto disclose in which one of said data handling nodes is a data processing arrangement [Hundemer, Internet access, col 6 lines 26-44].

5. As per claim 3, Hundemer-Miyamoto disclose in which one of said data handling nodes is a computer interface [Hundemer, dial up modem link, col 10 line 67].

6. As per claim 4, Hundemer-Miyamoto disclose a type identifier defining a target data handling node and an action identifier defining a data handling operation to be carried out by said target data handling node [Hundemer, col 9 lines 1-19].

7. As per claim 5, Hundemer-Miyamoto disclose in which said routing arrangement comprises a de-multiplexer for de-multiplexing different types of packets to different As per claim routing paths in dependence on said type identifier [Hundemer, router 42, col 6 lines 58].

8. As per claim 6, Hundemer-Miyamoto disclose in which a respective multiplexer is associated with each data handling node, each multiplexer being arranged to receive data packets from said routing paths which have that data handling node as a target node [Hundemer, router 42, col 6 lines 58].

9. As per claim 7, Hundemer-Miyamoto disclose said types of payload data include audio data and video data; and one of said data handling nodes is an audio/video processor for extracting audio and/or video data from a packet payload and generating an output audio and/or video signal [Hundemer, digital television, col 6 line 40].

10. As per claim 8, Hundemer-Miyamoto disclose in the case of a data packet received from said data network having an audio or video data payload, said network processor is arranged to associate with said packet an action identifier which specifies whether said payload comprises audio or video data and a type identifier specifying said audio/video processor as said target data handling node; and said audio/video processor processes said data packet as audio data or as video data in dependence on said action identifier [Miyamoto, audio, video, col 3 lines 20-35].

11. As per claim 9, Hundemer-Miyamoto disclose said network processor has an associated memory; said types of payload data include at least video data; and said network processor is operable in a second mode in which an incoming video data packet is stored in said memory at a storage location dependent upon said video data carried by that packet; said video data being subsequently read out for output via a data handling node [Miyamoto, audio, video, col 3 lines 20-35].

12. As per claim 10, Hundemer-Miyamoto disclose in which said storage location depends on pixel position(s) relating to said video data [Miyamoto, audio, video, col 3 lines 20-35].

13. As per claim 11, Hundemer-Miyamoto disclose in which said video data is read out from said memory substantially straight after being stored in said memory [Miyamoto, audio, video, col 3 lines 20-35].

14. As per claim 12, Hundemer-Miyamoto disclose in which said video data is read out from said memory a predetermined delay period after being stored [Hundemer, data loast, col 15 lines 60-65].

15. As per claim 13, Hundemer-Miyamoto disclose in which at least one of said types of payload data represents asynchronous data to be carried by said network [Hundemer, WAN or ATM, col 6 line 3].

16. As per claim 14 Hundemer-Miyamoto disclose A data network comprising: a plurality of data handling nodes, each having a network interface according to claim 1;and a data network connecting said data handling nodes via said respective network interfaces [see rejection claim 1].

17. As per claim 15, Hundemer-Miyamoto disclose in which each data handling node comprises a source and/or a sink of data according to at least one of said types of payload data as inherent feature of Internet.

18. As per claim 16 Hundemer-Miyamoto disclose A data handling node having a source and/or a sink of data according to at least one of said types of payload data; and a network interface according to claim 1 as inherent feature of Internet.

19. As per claim 17 Hundemer discloses A method of operation of a network interface connectable to a packet-based data network on which a plurality of different types of payload data are distinguished by network-based packet header data; said

network interface comprising a plurality of data handling nodes [Hundemer, Internet, DSL, col 1 line 36]; and a routing arrangement responsive to a packet identifier for routing data packets between said data handling nodes [Herdermer, a router 42, Fig 2]; in which one of said data handling nodes is a network processor for receiving data packets from and transmitting data packets to said packet-based network [Herdermer, a router 42, Fig 2]; said method comprising the steps of:

a) in the case of a data packet received from said data network, detecting a type of payload data from said network-based packet header data;; and associating with said packet an identifier which specifies a route across said routing arrangement to a target data handling node and a data handling operation to be carded out by said target data handling node (e.g.: user, client) [Hundemer, determines the type of data and how it is to be processed, col 9 lines 1-19; Internet content has been selected and requested for delivery by clients, col 7 lines 26-40]; and

b) in the case of a data packet received from another data handling node and having an associated packet identifier, detecting a type of payload data from said packet identifier; applying network-based packet header data in dependence on said packet identifier [Hundemer, the header and a playload of data, col 9 lines 1-19]; and launching said data packet onto said network.

However Hundemer does not explicitly detail

to remove said network-based packet header data from said packet;

to remove said packet identifier;

Miyamoto taught a processing system with TS header processor 17 [Miyamoto, Fig 3] includes a TS header stripper 21 removes TS header [Miyamoto, col 4 lines 18-61]; and removing said PID from payload data [Miyamoto, col 6 lines 12-16]

Therefore it would have been obvious to an ordinary skill in the art at the time the invention was made to incorporate the technique of remove the header or the PID of the payload data as taught by Miyamoto into the Hundemer's apparatus in order to utilize the routing process.

Doing so would reduce the work load or heavy burden to the host or network processor.

20. As per claim 18 Hundemer-Miyamoto disclose Computer software having program code for carrying out a method according to claim 17 [Hundemer, software application, col 4 lines 45].

21. As per claim 19 Hundemer-Miyamoto disclose A providing medium by which software according to claim 18 is provided [Hundemer, software application, col 4 line 45].

22. As per claim 20, Hundemer-Miyamoto disclose said medium being a storage medium [Hundemer, CD, DVD, col 5 line 66].

23. As per claim 21, Hundemer-Miyamoto disclose said medium being a transmission medium [Hundemer, PSTN 34, Fig 2].

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thong H. Vu whose telephone number is 571-272-3904. The examiner can normally be reached on 6:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Jay Patel* can be reached on 571-272-2988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Thong Vu
Primary Examiner

THONG VU
PRIMARY PATENT EXAMINER